



November 12, 2024

VIA ECF

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Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMORANDUM ENDORSED

**Re: *Council for Responsible Nutrition v. Letitia James*, Case No. 1:24-cv-01881 –
Unopposed Request for Stay of Deadlines in Scheduling Order**

Dear Judge Gorenstein:

Pursuant to Section 1, Paragraph E of Your Honor's Individual Practices, Plaintiff, Council for Responsible Nutrition ("CRN"), respectfully requests a temporary stay of the discovery deadlines set forth in the Scheduling Order dated September 9, 2024 and entered at Dkt. #68 (the "Order"), pending a decision from the Second Circuit on CRN's interlocutory appeal of the District Court's denial of CRN's Motion for Preliminary Injunction. See No. 24-1343 (2d Cir.). That appeal is now fully briefed and pending oral argument.

The Second Circuit's forthcoming ruling on CRN's appeal will clarify the scope of this lawsuit and discovery in this matter. As such, a temporary stay of discovery pending the Second Circuit's decision will conserve judicial resources, minimize litigation costs, and promote efficiency. CRN has conferred with Defendant, Letitia James, in her official capacity as the Attorney General of the State of New York ("Defendant"), and Defendant consents to CRN's request for a temporary stay.

This is the first request for an extension of the Order.

Respectfully submitted,

COZEN O'CONNOR

/s/ Tamar S. Wise

The request to stay discovery is granted. The parties shall propose a new schedule for this case by letter filed on ECF within 14 days of the Second Circuit's issuance of a decision on the interlocutory appeal.

So Ordered.


GABRIEL W. GORENSTEIN
United States Magistrate Judge

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